

## Message Text

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C O N F I D E N T I A L MASERU 1006

E.O. 11652: GDS  
TAGS: SHUM, LT

SUBJECT: HUMAN RIGHTS: DRAFT LESOTHO ACTION PLAN

REF: STATE 142615

FOLLOWING IS POST'S REVISION OF COUNTRY EVALUATION PLAN FOR  
LESOTHO:

### I. COUNTRY PLAN

#### A. CONDITION OF HUMAN RIGHTS IN LESOTHO

1. THE PEOPLE AND GOVERNMENT OF LESOTHO HAVE A BASIC AND  
TRADITIONAL RESPECT FOR THE INTEGRITY OF THE PERSON.  
THERE WERE, HOWEVER, ISOLATED INCIDENTS OF CRUEL AND INHUMAN  
TREATMENT OF PERSONS BY BOTH SIDES DURING A POLITICAL CONFRON-  
TATION IN 1970 AND AN ABORTIVE UPRISING IN 1974. THERE WERE  
ALSO CHARGES OF TORTURE OR CRUEL TREATMENT BY POLICE AT  
THESE TIMES. A NUMBER OF PERSONS WERE ARRESTED - SOME ARBITRARILY -  
BUT ALL EXCEPT THOSE WHO WERE BROUGHT TO TRIAL FOR SEDITION  
AND TREASON WERE SUBSEQUENTLY RELEASED. NONE OF THOSE CONVICTED  
WERE GIVEN DEATH SENTENCES. SENTENCES RANGED FROM THREE TO  
FIVE YEARS IMPRISONMENT; SOME SENTENCES WERE REDUCED OR SET  
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ASIDE ON APPEAL. INDEPENDENT OBSERVERS AGREE THAT TRIALS IN  
LESOTHO ARE CONDUCTED FAIRLY. ALTHOUGH THERE MAY HAVE BEEN  
CASE OF INVASION OF HOMES DURING THE PERIOD OF THE 1974  
UPRISING, ENTRY INTO THE HOME WITHOUT A WARRANT IS FORBIDDEN  
BY LAW AND THIS IS CURRENTLY HONORED IN PRACTICE.

### 2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES

(A) SOME CIVIL AND POLITICAL LIBERTIES (ASSEMBLY, MOVEMENT, SPEECH AND PARTICIPATION IN THE POLITICAL PROCESS) IN LESOTHO WERE RESTRICTED BY THE GOVERNMENT IN REACTION TO ACTIVITIES OF THE OPPOSITION IN 1970 AND 1974 WHICH THREATENED THE GOVERNMENT'S EXISTENCE. ALL CIVIL AND POLITICAL LIBERTIES BUT FREEDOM OF POLITICAL ASSEMBLY, WHICH REQUIRES GOVERNMENT PERMISSION, HAVE BEEN RESTORED. PARTICIPATION IN THE POLITICAL PROCESS IS LIMITED SINCE THE PARLIAMENT IS NO LONGER ELECTED BUT APPOINTED BY THE CROWN ON THE ADVICE OF GOVERNMENT. CURRENT PARTICIPATION IN THE POLITICAL PROCESS IS MORE OR LESS LIMITED TO COMMUNICATING WITH ONE'S MEMBER OF PARLIAMENT OR VOICING ONE'S POLITICAL CONVICTIONS IN THE SESOTHO LANGUAGE PRESS. IN 1974, PARLIAMENT ADOPTED AN INTERNAL SECURITY ACT WHICH PERMITS ARREST AND DETENTION FOR UP TO 60 DAYS WITHOUT CHARGE. THE GOVERNMENT STATES THAT NO ONE IS PRESENTLY BEING HELD UNDER THIS ACT ALTHOUGH A FEW PERSONS WERE SO DETAINED IN 1974 AND 1975 AND MORE RECENTLY ONE PERSON IS REPORTED TO HAVE BEEN DETAINED FOR THREE DAYS. ALTHOUGH UNUSED AT PRESENT, THE ACT COULD, OF COURSE, BE INVOKED AT ANY TIME.

(B) LESOTHO IS FREE OF RACIAL DISCRIMINATION AND RESTRICTIONS ON MOVEMENT, RELIGION AND SPEECH. THE RADIO AND AN ENGLISH LANGUAGE NEWSPAPER ARE GOVERNMENT CONTROLLED. THERE ARE, HOWEVER, INDEPENDENT SESOTHO LANGUAGE NEWSPAPERS WHICH ARE OFTEN OUTSPOKENLY CRITICAL OF GOVERNMENT POLICIES  
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AND WHICH PRINT VEHEMENT CALLS FOR THE RESIGNATION OF THE PRIME MINISTER, THE SCHEDULING OF ELECTIONS AND THE RESTORATION OF A CONSTITUTION.

3. GOVERNMENT POLICIES CONCERNING BASIC NEEDS, FOOD, SHELTER, HEALTH CARE AND EDUCATION.

(A) LESOTHO IS HEAVILY DEPENDENT ON FOREIGN ASSISTANCE TO IMPROVE THE ECONOMIC WELFARE OF ITS PEOPLE. IT HAS FOCUSED ITS NATIONAL DEVELOPMENT PLAN AND FOREIGN ASSISTANCE ON AREAS SUCH AS AGRICULTURE, HEALTH AND EDUCATION TO MEET THE NEEDS OF THE RURAL POOR.

(B) CORRUPTION IN GOVERNMENT IS NOT A PROBLEM IN LESOTHO.

4. THE PRESENT HUMAN RIGHTS SITUATION IN LESOTHO WAS ORDAINED BY THE PRIME MINISTER, HIS CABINET AND THE APPOINTED NATIONAL ASSEMBLY. HOWEVER THE VIOLATIONS OF HUMAN RIGHTS IN TIMES PAST WERE OFTEN THE WORK OF THE POVICE AND DID NOT RESULT FROM HIGH LEVEL GOVERNMENT DECISION. THE GOVERNMENT DOES NOT TRY TO COVER UP THE ISOLATED VIOLATIONS OF HUMAN RIGHTS THAT HAVE OCCURRED IN THE PAST, BUT IS WILLING TO DISCUSS THEM

OPENLY. GOVERNMENT OFFICIALS STATE THAT THE VIOLATIONS OF HUMAN RIGHTS WERE REGRETTABLE BUT NECESSARY TO MAINTAIN LAW AND ORDER. GIVEN THE THREAT TO ITS POWER, THE GOVERNMENT'S ACTIONS WERE NOT UNUSUAL.

5. THE GOVERNMENT HAS ALLOWED OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS. AN AMNESTY INTERNATIONAL REPRESENTATIVE ATTENDED THE TRIALS OF THE PERSONS CHARGED AS A RESULT OF THE JANUARY 1974 COUP ATTEMPT AND PROVIDED RELIEF ASSISTANCE TO THE FAMILIES OF THE IMPRISONED. IT PROTESTED THE JANUARY 1976 RE-DETENTION OF THE FORMER BCP SECRETARY-GENERAL KOLISANG WHO HAD JUST BEEN RELEASED FROM 60 DAYS' IMPRISONMENT. HE WAS GIVEN A FINAL RELEASE SHORTLY THEREAFTER. FREEDOM HOUSE RATES LESOTHO AS "PARTLY FREE".  
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#### B. ANALYSIS AND RECOMMENDATIONS

1. A LEGITIMATE U.S. HUMAN RIGHTS OBJECTIVE IN LESOTHO OVER THE NEXT YEAR IS:

(A) TO ENCOURAGE REPEAL OF THE INTERNAL SECURITY ACT OF 1974 WHICH PROVIDES FOR DETENTION WITHOUT CHARGE FOR UP TO 60 DAYS -- THIS IS IMPORTANT IN ORDER TO FURTHER POLITICAL RECONCILIATION IN LESOTHO, AND IS SUPPORTED BY SEVERAL GOVERNMENT OFFICIALS. AS A FRIEND AND MAJOR AID DONOR, WE CAN EXPECT AN ATTENTIVE HEARING IF OUR APPROACH IS FRANK AND GLOBALLY CONSISTENT. LESOTHO IS SENSITIVE TO CHARGES OF HUMAN RIGHTS VIOLATIONS THAT THAT COULD BE USED AGAINST IT. OTHER WESTERN NATIONS MAY BE TOO CONCERNED WITH OTHER PROBLEMS IN SOUTHERN AFRICA TO SUPPORT A DEMARCHE TO THE GOVERNMENT OF LESOTHO ON HUMAN RIGHTS. OUR BEST APPROACH MAY BE TO HAVE OUR AMBASSADOR PROVIDE GOVERNMENT OFFICIALS WITH COPIES OF OUR SPEECHES AND STATEMENTS ON OUR GLOBAL COMMITMENT TO HUMAN RIGHTS. THIS WILL BE REINFORCED BY A CONSISTENT AND CONTINUING DIALOGUE WITH OFFICIALS OF GOL AND OTHERS ON THE SUBJECT OF HUMAN RIGHTS.

2. FOREIGN MINISTER MOLAPO EXPRESSED HIS GOVERNMENT'S OFFICIAL ANGER AT OUR HUMAN RIGHTS REPORT ON LESOTHO. HE SAID IT WAS NOT THE U.S. ROLE TO BE THE ARBITER OF THE WORLD'S CONSCIENCE, AND THAT HE DID NOT WELCOME OUR REVIEW OF HUMAN RIGHTS IN LESOTHO. ON REFLECTION OTHER LESOTHO OFFICIALS HAVE INDICATED AN UNDERSTANDING FOR OUR CONCERN ABOUT HUMAN RIGHTS ON A GLOBAL BASIS, AND AN APPRECIATION OF HOW OUR CONCERN COULD HELP IMPROVE THE STATE OF HUMAN RIGHTS IN LESOTHO. WE BELIEVE LESOTHO POLITICAL OPPOSITION LEADERS, AND CHURCH AND CIVIC GROUPS WOULD FAVOR ACTION TO IMPROVE LESOTHO'S HUMAN RIGHTS  
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IMAGE.

3. IF OUR ACTIONS TO ENCOURAGE A GREATER RESPECT FOR HUMAN RIGHTS IN LESOTHO IS CONSISTENT WITH THOSE WE TAKE IN OTHER COUNTRIES, WE MAY EXPECT A FAVORABLE REACTION ON THE PART OF THE GOVERNMENT. IF LESOTHO FEELS THAT IT IS BEING SINGLED OUT FOR CRITICISM OR DEALT WITH UNFAIRLY OUR APPROACHES COULD BE COUNTERPRODUCTIVE.

4. AN EXPRESSION OF CONCERN FOR HUMAN RIGHTS IN LESOTHO THROUGH QUIET DIPLOMACY COULD COMPLEMENT OUR ECONOMIC ASSISTANCE PROGRAMS IN THE COUNTRY. U.S. INTERESTS IN LESOTHO WILL NOT BE HARMED BY DIPLOMATIC APPROACHES ON THIS SUBJECT. WE CAN EXPECT LESOTHO TO SUPPORT OUR EFFORTS TO PROMOTE HUMAN RIGHTS IN SOUTHERN AFRICA THROUGH OUR SUPPORT FOR MAJORITY RULE. WE EXPECT LESOTHO WILL SUPPORT EFFORTS IN THE UN AND OAU THAT PROMOTE HUMAN RIGHTS.  
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